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PART I—Section 3

Notifications relating to Non-Statutory Rules, Regulations, Orders and Resolutions issued by the Ministry of Defence

MINISTRY OF DEFENCE

No. 129, dated 7th January 1959.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules regulating the recruitment to the Military Engineer Services, Class I, namely:—

RULES

1. For the purpose of these Rules—

- (a) "Government" means the Government of India.
- (b) "The Commission" means the Union Public Service Commission.
- (c) "The Service" means the Military Engineer Services, Class I, particulars in respect of which are given in Appendix IV.

2. A competitive examination for admission to the Services shall be held in India at such times and places as may be prescribed in the Notice issued by the Commission. Every such Notice will, when possible, announce the number of vacancies to be filled on the result of the examination.

3. If the examination held under this part of these Rules is a combined examination for the purpose of making appointments to more than one Service or Department, the following provisions shall apply:—

(a) Any person may apply to be admitted as a candidate for appointment in all or any of these Services or Departments for which he is eligible. If he wishes to compete for appointment in more than one Service or Department, he shall state in his application form which Services or Departments he wishes to compete for and the order of his preference for them, and in such case only one application form will be necessary and one payment of the fees referred to in rule 13 (and Appendix III) will be sufficient.

(b) Government shall assign successful candidates to each Service or Department on a consideration of all circumstances including any personal preference expressed by the candidate.

4. A candidate must apply to be admitted to the examination before such date, in such manner, and in such form as the Commission may prescribe.

5. A candidate must be either,

- (a) a citizen of India, or
- (b) a subject of Sikkim, or
- (c) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India, or
- (d) a subject of Nepal or of a Portuguese or former French possession in India.

NOTE 1.—The appointment of candidates in categories (c) and (d) above will be subject to the issue of certificates of eligibility in their favour by the Government of India. The certificate of eligibility in respect of candidates belonging to category (c) will be valid only for a period of one year from the date of his appointment beyond which he would be retained in service only if he has become a citizen of India. Certificates of eligibility will not, however, be necessary in the case of candidates belonging to any one of the following categories:—

- (1) Persons who migrated to India from Pakistan before the 19th July 1948 and have ordinarily been residing in India since then.

- (2) Persons who migrated to India from Pakistan after the 18th July 1948, and have got themselves registered as citizens.

- (3) Non-citizens of categories (c) and (d) above who entered service under the Government of India before the commencement of the Constitution, viz., 26th January 1950 and who have continued in such service since then. Any such persons who re-entered or may re-enter such service with break after the 26th January 1950, will however, require certificate of eligibility in the usual way.

NOTE 2.—A candidate in whose case a certificate of eligibility is necessary may be admitted to the examination and he may also be provisionally appointed subject to the necessary certificate being eventually issued in his favour by Government.

6. (a) No male candidate who has more than one wife living shall be eligible for appointment to any of the services appointments to which are made on the results of this competitive examination unless the Government of India after being satisfied that there are special grounds for doing so, exempt any male candidate from the operation of this rule.

(b) No female candidate who has married a person having already a wife living shall be eligible for appointment to any of the services appointments to which are made on the results of this competitive examination unless the Government of India after being satisfied that there are special grounds for doing so, exempt any female candidate from the operation of this rule.

7. (a) On the date prescribed by the Commission in their Notice of the Examination issued under Rule 2, a candidate for the Buildings and Roads cadre must have attained the age of 20 and must not have attained the age of 25, provided that the upper age-limit of 25 will be relaxable upto 28 in the case of candidates who are permanently employed under the Engineer-in-Chief, Army Headquarters, or who were continuously in temporary service under the Engineer-in-Chief, Army Headquarters, for at least 3 years, or who were within the above specified age-limits on the date of their employment under the Engineer-in-Chief, Army Headquarters, such relaxation being limited to two examinations only.

Departmental candidates must obtain previous permission of the Head of the Department to appear for the examination.

NOTE.—The upper age limits prescribed above will be relaxable:—

- (i) Upto a maximum of 5 years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe.
- (ii) Upto a maximum of 3 years if a candidate is a bona fide displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir.

This concession will not, however, be admissible to a candidate who has already appeared at five previous examinations or in the case of those employed under the Engineer-in-Chief, Army Headquarters, at seven previous examinations.

- (iii) Upto a maximum of 8 years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe and is also a bona fide displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir.

This concession will not, however, be admissible to a candidate who has already appeared at ten previous examinations or in the case of those employed under the Engineer-in-Chief, Army Headquarters, at twelve previous examinations.

- (iv) Up to a maximum of 3 years if a candidate is a resident of the former French Settlements which have now become part of India and has been receiving his education through the medium of French.
- (v) Up to a maximum of 4 years if a candidate belongs to the Andaman and Nicobar Islands.

(b) On the date prescribed by the Commission in their Notice of the Examination issued under Rule 2, a candidate for the Electrical and Mechanical Cadre must have attained the age of 20 and must not have attained the age of 25, provided that the upper age limit of 25 will be relaxable up to 30 in the case of candidates who are permanently employed under the Engineer-in-Chief, Army Headquarters, or who were continuously in temporary service under the Engineer-in-Chief, Army Headquarters, for at least 3 years, or who were within the above specified age-limits on the date of their employment under the Engineer-in-Chief, Army Headquarters, such relaxation being limited to three examinations only.

Departmental candidates must obtain previous permission of the Head of the Department to appear for the examination.

NOTE.—The upper age limits prescribed above will be relaxable:—

- (i) Up to a maximum of 5 years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe.
- (ii) Up to a maximum of 3 years if a candidate is a *bona fide* displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir.

This concession will not, however, be admissible to a candidate who has already appeared at five previous examinations or in the case of those employed under the Engineer-in-Chief, Army Headquarters, at eight previous examinations.

- (iii) Up to a maximum of eight years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe and is also a *bona fide* displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir.

This concession will not, however, be admissible to a candidate who has already appeared at ten previous examinations or in the case of those employed under the Engineer-in-Chief, Army Headquarters, at thirteen previous examinations.

- (iv) Up to a maximum of 3 years if a candidate is a resident of the former French Settlements which have now become part of India and has been receiving his education through the medium of French.

- (v) Up to a maximum of 4 years if a candidate belongs to the Andaman and Nicobar Islands.

N.B.—Candidates who are admitted to the examination under the age concession mentioned in paragraphs 7(a) and (b) above will not be eligible for appointment if, after submitting the application, they resign from service either before or after taking the examination. They will, however, continue to be eligible if they are retrenched from the service or post after submitting the applications.

SAVE AS PROVIDED ABOVE THE AGE LIMITS PRESCRIBED CAN IN NO CASE BE RELAXED.

8. A candidate must satisfy the Commission that his character is such as to make him suitable for appointment to the Service.

10. A candidate must have—

- (a) obtained a degree in Engineering from a University incorporated by an Act of the Central or of a State Legislature in India; or
- (b) passed Sections A and B of the Associate Membership Examination of the Institution of Engineers (India) or have any other educational qualifications excepting, in the case of the Buildings and Roads Cadre, a B.E. degree (Tele-communication) awarded by Indian Universities recognised by that institution as exempting from passing these sections; or
- (c) obtained an engineering degree of one of the Universities mentioned in Appendix I under the conditions prescribed in that Appendix; or
- (d) passed the Honours Diploma examination in Civil, Mechanical or Electrical Engineering of the Loughborough College, Leicestershire, provided the candidate has passed the common preliminary examination or has been exempted therefrom; or
- (e) obtained the B.E. (Tele-communications) degree of an Indian University (Applicable to Mechanical and Electrical Cadre only).

NOTE I.—In exceptional cases the Commission may treat as a qualified candidate, a candidate who, though he has not all or any of the qualifications prescribed in this rule, has passed examinations conducted by other institutions of a standard which in the opinion of the Commission justifies his admission to the examination.

NOTE II.—Candidates who have appeared at an examination the passing of which would render them eligible to appear at this examination, but have not been informed of the result, may apply for admission to the examination. Candidates who intend to appear at such qualifying examination may also apply, provided that the qualifying examination is completed before the commencement of this examination. Their applications will be accepted provisionally and they will be required to furnish proof of having passed the examination as soon as possible and in any case not later than two months after the commencement of this examination.

10. No candidate shall be admitted to the Examination unless he holds a certificate of admission from the Commission.

The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final.

11. A candidate found guilty of impersonation or of submitting fabricated documents or documents which have been tampered with or of making statements which are incorrect or false or suppressing material information or of using or attempting to use unfair means in the examination hall or otherwise resorting to any other irregular or improper means for obtaining admission to the examination will, in addition to rendering himself liable to a criminal prosecution be debarred either permanently or for a specified period:—

- (a) by the Commission from admission to any examination or appearance at any interview held by the Commission for selection of candidates; and
- (b) by the Central Government from employment under the Government.

12. No recommendations except those required in the form of application shall be taken into consideration. Any attempt on the part of a candidate to obtain support for his candidature by other means may disqualify him for admission.

13. Candidates must pay such examination fees as Government may prescribe (see Appendix III). No claim for a refund of any of these fees will be entertained nor can they be held in reserve for any other examination or selection.

14. Examinations under these Rules shall be conducted by the Commission in the manner prescribed in the regulations which form Appendix II to these Rules.

15. (a) After every examination the Commission shall make a list of the candidates in order of their merit as disclosed by the aggregate marks finally awarded to each candidate, and in that order so many candidates up to the number of unreserved vacancies announced under rule 2 above, as are found by the Commission to be qualified by the examination and are considered by Government or the appointing authority as the case may be to be suitable in all other respects, shall be appointed.

(b) Appointments to vacancies to be filled by members of a particular community or communities shall be made by Government or the appointing authority as the case may be, in the order of merit of the candidates belonging to the particular community or communities, provided they have qualified in the examination and are in all respects suitable for employment in the service.

(c) Success in the examination confers no right to appointment, unless Government are satisfied, after such enquiry as may be considered necessary that the candidate is suitable in all respects for appointment to the public Service.

16. A candidate must be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of his duties as an officer of the Service. A candidate who (after such physical examination as Government or the appointing authority, as the case may be, may prescribe) is found not to satisfy those requirements will not be appointed. Only candidates who are likely to be considered for appointment will be physically examined.

In order to prevent disappointment candidates are advised to have themselves examined by a Government medical officer of the standing of a Civil Surgeon, before applying for admission to the examination. Particulars of the nature of the physical test to which candidates will be submitted before appointment and of the standard required can be had from the Commission.

A. KRISHNASWAMY AIYANGAR, Dy. Secy.

APPENDIX I

LIST OF UNIVERSITY DEGREES WHICH WILL BE RECOGNISED FOR ADMISSION TO THE EXAMINATION [vide RULE 9(c)]

Aberdeen.—B.Sc. Engineering (Honours or Ordinary degree).

Cambridge.—Ordinary degree B.A. in engineering provided the graduate has passed in the principal subjects, Engineering I, Engineering II and Engineering III.

Durham.—B.Sc. in Marine Engineering.

Glasgow.—B.Sc. in Naval Architecture (Honours or Ordinary degree).

Victoria University (Manchester)—B.Sc. in Engineering.

NOTE.—The above degrees will be accepted only if taken after three years' study and the passing of the regular examinations in the several Universities. The conditions as to three years' study will not, however, apply to Indians who, having taken an Indian degree, which exempts them from part of the University course shall have taken one of the above degrees in less than three years in accordance with the regulations of the University concerned.

APPENDIX II

STANDARD AND SYLLABUS OF THE EXAMINATION

(Vide RULE 14)

(For Building and Roads Cadre)

Subject	Marks
(a) Compulsory	
(1) English (including Essay and Precis writing)	100
(2) General Knowledge	100
(3) Applied Mechanics (including strength of materials and theory of structures)	200
(4) Construction	200

Paper I

(i) Building Materials and Building Construction	100
(ii) Design of Structures	

Paper II

Roads Railways (General Principles governing the designs of Railways, Roads, Harbours and other works)	100
(5) Surveying	100
(6) Sanitary Engineering and Water Supply	100
(7) Personality Test	300

(b) Optional

Any two of the following:—

(1) Physics (including Electricity and Magnetism)	100
(2) Prime Movers	100
(3) Hydraulics and Hydraulic Machines	100
(4) Electrical Engineering	100
(5) Architecture and Town Planning	100

(For Electrical and Mechanical Cadre).

(a) Compulsory

(1) English (including Essay and Precis writing).	100
(2) General Knowledge	100
(3) Electrical Engineering	200
(4) Mechanical Engineering	200
(5) Applied Mechanics (including strength of materials and theory of structures)	200
(6) Personality Test	300

(b) Optional

Any two of the following:—

(1) Physics (including Electricity and Magnetism)	100
(2) Electrical Communication Engineering	100
(3) Prime Movers	100
(4) Applied Mathematics	100
(5) Hydraulics and Hydraulic Machines	100

NOTE I.—All papers must be answered in English.

NOTE II.—Candidates must write the papers in their own hand. In no circumstances will they be allowed the help of an amanuensis (scribe) to write down answers for them.

2. A candidate who takes Surveying as a subject must produce a certificate that he has undergone satisfactory training in Surveying, including practical surveying in a college or institution recognised by the Commission for the purpose of admission to the Competitive examination for the Service.

The training must be equivalent to that given in the full course for a degree or diploma in Civil Engineering. The certificate must be signed by the Principal or the Head of the Department of Surveying in the College or Institution.

For this purpose the Commission will ordinarily accept a certificate from any college or institution mentioned in rule 9 of the foregoing rules or from any college, which is affiliated to any University mentioned in the same rule. The Commission however, reserve to themselves the power not to accept any certificate if they are satisfied that the practical training required to therein falls short of the requirements of the Service, and their decision in the matter will be final.

3. The standard and syllabus of the examination will be such as the Commission shall prescribe.

4. The Commission have discretion to fix qualifying marks in any or all the subjects at the examination.

5. The Commission will summon at their discretion only those candidates whom they consider suitable for interview for the Personality Test.

6. Special attention will be paid in the Personality Test to assessing the candidates' capacity for leadership, initiative and intellectual curiosity tact and other social qualities, mental and physical energy, powers of practical application and integrity of character.

7. From the marks assigned to candidates in each subject such deduction will be made as the Commission may consider necessary in order to secure that no credit is allowed for merely superficial knowledge.

8. Deductions up to 5 per cent. of the maximum marks for the written subjects will be made for illegible handwriting.

9. Credit will be given for good English including orderly, effective and exact expression combined with due economy of words in all subjects of the examination and not only in subjects which are specially devoted to English.

APPENDIX III

(Vide Rule 13)

Candidates seeking admission to the examination must pay the following fees:—

(a) To the Commission:

(i) Re. 1/- when asking for application form and connected documents.

This amount should be paid to the Commission by Money Order. Local candidates, however, may pay cash at the counter. The Commission will not accept payment made otherwise.

(ii) Rs. 81:50 (Rs. 19:62 in the case of candidates belonging to Scheduled Castes and Scheduled Tribes) with the completed application form.

This amount should be paid by means of Treasury Receipt or CROSSED Indian Postal Orders payable to Secretary, Union Public Service Commission. The Commission will not accept payment made otherwise.

(b) To the Medical Board:—

Rs. 16/- before examination by a Medical Board, if selected for appointment.

This amount should be paid in cash to the Medical Board concerned at the time of the Medical examination.

2. Once an application has been considered by the Commission and the decision communicated to the candidate, no claim from the candidate for a refund of the fee paid by him to the Commission will be entertained nor can this fee be held in reserve for any other examination or selection. If, however, a candidate is not admitted to the examination by the Commission, a refund of Rs. 75/- (Rs. 18:75 in the case of candidates belonging to Scheduled Castes and Scheduled Tribes) will be made to him.

3. The Commission may at their discretion remit the prescribed fee where they are satisfied that the applicant is a bona fide displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir and is not in a position to pay the prescribed fee. The fee of Re. 1 however, must be paid even by a displaced person when asking the Commission for form and this amount will be refundable to him if, on receipt of his application, his claim to be a displaced person is accepted by the Commission and his fee is remitted.

APPENDIX IV

PARTICULARS REGARDING THE MILITARY ENGINEER SERVICES

(The arrangements and salaries herein given are subject to revision according to the requirements of the service.)

The following are the rates of pay at present admissible to officers recruited under these Rules:—

Posts	Rates of pay
Assistant Executive Engineer	} Rs. 350—350—380—380—30— 590—E.B.—30—770—40—850.
Assistant Surveyor of Works	
Assistant Technical Examiner	

2. Pay will commence from the date of joining service. Service for increments will also count from the same date.

3. The principles for determining seniority are under consideration.

4. The increments will be given for approved service only and in accordance with rules of the Department.

5.(a) Officers recruited under these rules shall be appointed on probation for a period of two years.

(b) A probationer during his probationary period may be required to pass such departmental and language tests as Government may prescribe.

(c) If, in the opinion of Government, the work or conduct of an officer on probation is unsatisfactory or shows that he is unlikely to become efficient or if the probationer fails to pass the departmental or language tests, during the period, Government may discharge him after apprising him of the grounds on which it is proposed to do so and giving him an opportunity to show cause in writing before such orders are passed.

(d) On the conclusion of the period of probation Government may confirm the officer in his appointment, or if his work or conduct has in the opinion of Government been unsatisfactory, Government may either discharge him after apprising him of the grounds on which it is proposed to do so and giving him an opportunity to show cause in writing before such orders are passed or may extend the period of probation for such further periods as Government may consider fit.

(e) A probationer shall have no right of appeal against the orders of his discharge if he has been given an opportunity to show cause against the discharge and his reply duly considered as required under (c) and (d) above.

(f) If no action is taken by Government as indicated in subparagraph (c) or (d) of this paragraph, the period after the

prescribed period of probation shall be treated as an engagement from month to month, terminable on either side on the expiration of one calendar month's notice in writing.

6. Probationers will also be required to pass a test in Hindi before confirmation. The Syllabus for the test will be as follows:—

“One paper of one hour duration. Knowledge of Hindi up to Standard IV accepted. Candidates will be required to translate given passages from English to Hindi (Devnagri script) and *vice versa*.”

Oral: Reading of Hindi books and conversation in Hindi.”

7. The Military Engineer Services, Class I comprises of a number of superior posts as follows:—

Posts	Rates of Pay
Executive Engineer	} Rs. 600 for first 6 years of service— 40—1,000—1,000—1,050—1,050— 1,100—1,100—1,150.
Surveyor of Works	
Technical Examiner	

ADMINISTRATIVE POSTS

Posts	Rates of Pay
Chief Technical Examiner	Under consideration
Chief Surveyor of Works	Rs. 1,600—100—1,800.
Superintending Engineer	} Rs. 1,300—60—1,600.
Superintending Surveyor of Works	
Superintending Technical Examiner	

8. Promotions to the superior and administrative posts are dependent on the occurrence of vacancies in the sanctioned establishment and are made wholly by selection in consultation with the Departmental Promotion Committee and Commission as laid down in the Home Department Office Memorandum No. 33/46-Ests.(R), dated the 17th June, 1946; mere seniority is considered to confer no claim to promotion.

No. 130, dated 8th Jan. 1959.—*Corrigendum*—M. of D. Notn. No. 2020, dated 30th Sep. 1957, published in the Gazette of India, Part I, Section 3, dated 26th Oct. 1957 regarding constitution of a State Advisory Committee for the Territorial Army and Lok Sahayak Sena in Bombay, as amended by the M. of D. Notns. No. 2198, dated 4th Nov. 1957, published in the Gazette of India Part I, Section 3, dated 23rd Nov. 1957 and No. 2022, dated 13th Oct. 1958, published in the Gazette of India, Part I, Section 3, dated 8th Nov. 1958, is further amended as follows:—

Under the heading “Members”

for the words “The Joint Secretary.

Home Department”

read “Deputy Secretary, Home Department, Bombay.”

H. C. SARIN, Jt. Secy.